

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NORTH DAKOTA  
SOUTHEASTERN DIVISION

United States of America, )  
                              )  
                              )  
Plaintiff,               )                      Case No. 3:10-mj-29  
                              )  
                              )  
-vs-                     )                      **ORDER ADOPTING REPORT AND**  
                              )                      **RECOMMENDATION**  
Dustin Feather,          )  
                              )  
Defendant.               )

Following a referral from the undersigned judge, Defendant Dustin Feather appeared before the Magistrate Judge for a hearing on alleged violations of conditions of probation. The Court has received a Report and Recommendation from the Honorable Karen K. Klein, United States Magistrate Judge, pursuant to 28 U.S.C. § 636, recommending that Feather's probation be modified according to the terms agreed upon by the parties (Doc. #22). The parties have waived their right to object to the Report and Recommendation.

The Court has reviewed the Report and Recommendation, along with the entire file, and finds the Magistrate Judge's recommendations are appropriate. Accordingly, the Court hereby adopts the Report and Recommendation in its entirety. For the reasons set forth therein, the Court finds Feather violated special conditions # 1, #2, and #3 of probation as set forth in the Petition. The Court, therefore, **ORDERS** as follows:

- (1)     Feather shall reside at Centre, Inc. in Fargo, North Dakota for a period of six months once a bed becomes available, and shall participate in the center's programs and abide by its rules and regulations;
- (2)     Feather's probation shall be extended until August 16, 2013;
- (3)     Feather shall undergo a substance abuse evaluation and comply with resulting counseling or treatment recommendations;

- (4) Feather shall maintain or actively seek employment; and
- (5) Feather shall continue to abide by any supervised release condition not otherwise modified by this Order.

**IT IS SO ORDERED.**

Dated this 1st day of November, 2011.

/s/ Ralph R. Erickson  
Ralph R. Erickson, Chief Judge  
United States District Court